

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

April 1, 2015

5:30 P.M.

MINUTES

Present: Mayor James Calnon, Councilors Rachelle Armstrong (W1) (*participated via Skype*), Mike Kelly (W2), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on March 19, 2015 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kasper; Seconded by Councilor Kelly

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending March 25, 2015 in the amount of **\$ 284,818.33** and April 1, 2015 in the amount of **\$ 266,927.34** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Armstrong; Seconded by Councilor Kretser

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the weeks of March 19 – March 31, 2015
- Report from the Building Inspector's office March 27, 2015
- Statement from the City Clerk's Office of all monies received during the month of February 2015 in the total amount of \$9,013.99

RESOLVED: That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

By Councilor Kelly; Seconded by Councilor Dowdle

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the weeks ending March 27, 2015 in the amount of \$ 1,885,368.15 and April 3, 2015 in the amount of \$ 519,953.76 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kasper; Seconded by Councilor Kretser
Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Bob Smith congratulations on hiring Promotional and Special Events Coordinator Sandra Geddes and encourages downtown businesses to open Sundays.

Raymond Markel spoke about his car damage when he drove on Veterans Lane and hit a pot hole. He turned in to City Insurance Company but his claim was denied.

7. OTHER ITEMS:

A. THE MAYOR HANDS DOWN THE APPOINTMENT OF ZONING BOARD ALTERNATE MEMBER TO KELLIE PORTER FOR A TERM TO BEGIN ON APRIL 2, 2015 AND EXPIRING DECEMBER 31,2017.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves amending the Restaurant Parklet guidelines as listed below:

All guidelines contained in the table license agreement are applicable to the parking space license addendum.

1. Licensee agrees to pay a fee for the use of the parking space from May 1 to September 30, which fee shall be \$300.00 per parking space. This fee is in addition to the standard sidewalk table fee of \$20 per table. This fee is payable on or before April 1st, or upon the signing of this agreement.
2. Licensee agrees to maintain (clean of debris) inside and outside of and within three feet of the concrete barriers on the street alongside the curbing.

3. Enhancements to the parklets, such as planters, must be properly maintained as well as their contents. Enhancements of wood construction must be stained.
4. Failure to maintain the parklets as stipulated in 2 and 3 will be reported to the City Inspector. Upon the receipt of the third notification of said failure, the permit will be revoked, and the license fee will be forfeited to the City.
5. The City will allocate no more than 15 parking spaces.
6. In the event that requests for parking spaces exceeds the allocation limit, those establishments conducting business on Sundays will be given preference.
7. Commencing May 1, 2015, all businesses applying for a parking space license not having previously obtained said license will purchase the barriers and store them in the off season.

The current table license contract also needs to be amended in Part 9 to add the same language as Part 4 in the parklet addendum.

By Councilor Kretser; Seconded by Councilor O'Connell

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves the Center for Womyn's Concerns, 101 Broad Street to have a "Take Back the Night" event on Saturday, April 18, 2015 from 9:15 pm to 10:45pm marching down Beekman, Brinkerhoff, Oak, Court, Margaret in the street and then Broad Street via sidewalks.

By Councilor O'Connell; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. Lake Champlain Bass Tournament Conservation Plan

Adirondack Coast Visitor Bureau (ACVB) and City of Plattsburgh

Whereas, several professional bass tournaments have been held annually since 2002; and

Whereas, ACVB and the City annually host the largest number of professional bass tournaments (catch-and-release only) on the lake; and

Whereas, Tournaments are important renewable resource-based economic component of the tourism industry; and

Whereas, Concerns have been noted about existing and potential negative fishery/ecological impacts, etc; and

Whereas, the major bass tournament organizations are committed to bass conservation; and

Whereas, Sound, unbiased research results are now available to support the sustainability of tournaments and guide decision making process re: tournament operations/scheduling; and

Whereas, Tournament fishery quality indices (i.e. average daily creel weights) for Lake Champlain's bass fishery are readily available from major tournament organizations; and

Therefore, the City of Plattsburgh and the ACVB resolve to adopt a bass tournament conservation plan which promotes sustainable fishery practices, maintains Lake Champlain's aquatic ecological integrity and promotes economic vitality for area businesses and visitors for the foreseeable future. The City of Plattsburgh and ACVB will rely heavily on the Lake Champlain Sea Grant's technical and programmatic expertise to draft the plan by May 29, 2015.

By Councilor O'Connell; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to transfer \$15,500 from the General Fund Contingency budget to the General Fund Judgments & Claims budget to provide for unbudgeted costs to settle the lease dispute for the City's waterfront property with Valcour Island LLC.

By Councilor Armstrong; Seconded by Councilor Kasper

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves Bryan Brayton IT Manager to advertise for Request for Proposals for the City of Plattsburgh Website Redesign.

By Councilor Kretser; Seconded by Councilor Kasper

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves MLD to write-off unpaid final bills from December 1, 2013 to December 31, 2013 in the total amount of \$3,108.63. The percentage of write-offs for this period is .22%.

By Councilor Kelly; Seconded by Councilor Dowdle

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to establish capital project H5110.49, 2015 Equipment Purchase, to authorize acquisition of the equipment listed in the 2015 capital expenditure plan.

By Councilor Armstrong; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council requests the Federal Department of Transportation, through the Federal Railroad Administration and the Pipeline and Hazardous Materials Safety Administration, to protect the safety of residents of our County by ensuring that hazardous materials, especially oil tank railcars, be constructed with the "Best Possible Technologies." Additionally, the resolution further requests that the general Public as well as public officials, be informed and updated on all aspects of Regional Train Safety, Spill Response, Rail Operations, and Public Notification Plans involving the rail transport of all oil and hazardous materials by Rail Surface Transportation through Clinton County.

By Councilor Armstrong; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

J. RESOLVED: In accordance with the request therefore the Common Council urges the State of New York to follow through with the recommendations published in its document of December 2014,

“Transporting Crude Oil in New York State: a Review of Incident Response and Prevention Capacity.”

By Councilor Kretser; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

K. RESOLVED: In accordance with the request therefore the Common Council urges the railroad and oil industries to protect New Yorkers by taking actions as recommended by the State of New York in Executive Order 125 and in the aforementioned resolution “J” above.

By Councilor Kelly; Seconded by Councilor Dowdle

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

L. RESOLVED: In accordance with the request therefore the Common Council adopts the City of Plattsburgh Email Policy.

By Councilor Kretser; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

M. RESOLVED: In accordance with the request therefore the Common Council approves MLD to advertise for bids for PMLD Bid No. 2015-4-1 “Distribution substation maintenance and relay calibration Addoms, Riverside and Bailey substations. Bid Opening Date: May 4, 2015 at 11am.

By Councilor Kasper; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

N. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to revise the capital project City Marina (H5110.48) by \$170,000, bringing the total

project amount to \$820,000, for the installation of marina facilities and renovation of the 2 Dock Street building.

By Councilor Armstrong; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

O. Motion to waive rule 4 for initial consideration "Request from Councilor Kretser that the east lane of Oak Street between Elm Street and Stetson Street will be closed on May 2, 2015 between the hours of 10:00am until 1:00pm for the formal dedication of a historic marker honoring Jean Arthur. "

By Councilor Kretser; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves that the east lane of Oak Street between Elm Street and Stetson Street will be closed on May 2, 2015 between the hours of 10:00am until 1:00pm for the formal dedication of a historic marker honoring Jean Arthur.

By Councilor Kretser; Seconded by Councilor Kasper

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(Councilors Armstrong, Dowdle, O'Connell, Kasper and Kretser voted in the affirmative. Councilor Kelly voted in the negative.)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Calnon to attend the "NYCOM Annual Meeting" in Saratoga Springs, NY from May 3 – 5, 2015 at a cost not to exceed \$1000.

By Councilor Kretser; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves one

Police Officer to attend “Firearms Instructor Course” in Elmira, NY from May 17 - 29, 2015 at a cost not to exceed \$1,616 and will be expensed from the Asset Forfeiture Fund.

By Councilor Kasper; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves one Police Officer and one civilian Police Department employee to attend the “39th Annual IACP Law Enforcement Information Management (LEIM) Training and Technology Exposition” in San Diego, CA from May 17 - 21, 2015 at a cost not to exceed \$4,820.20 and will be expensed from the Asset Forfeiture Fund.

By Councilor Kasper; Seconded by Councilor Dowdle

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action:

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Councilor Kretser that the east lane of Oak Street between Elm Street and Stetson Street will be closed on May 2, 2015 between the hours of 10:00am until 1:00pm for the formal dedication of a historic marker honoring Jean Arthur. **(Move to agenda under “Other Items” Letter O)**

10. NEW BUSINESS:

Councilor O’Connell read proclamation recognizing the SUNY Women’s Hockey team for winning the NCAA Championship. He also inquired about biweekly payroll.

Mayor Calnon gave an update on biweekly payroll.

11. CLOSING PUBLIC COMMENTS:

David Spreggs spoke about getting more garbage cans, stated mouth of River Beavers are damaging trees, stated there are hypodermic needles showing up now that snow is gone.

Councilor Kasper asked where?

David Spreggs indicated in the parks, skate park.

Motion to Adjourn by Councilor O'Connell; Seconded by Councilor Kretser

Roll call Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

MEETING ADJOURNED: 6:16 pm